



General Assembly

January Session, 2011

Raised Bill No. 6529

LCO No. 4145

04145_____CE_

Referred to Committee on Commerce

Introduced by:
(CE)

***AN ACT PROMOTING ECONOMIC DEVELOPMENT IN THE
SURROUNDING AREA OF OXFORD AIRPORT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 32-75d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 There [is] are established [an] two airport development [zone,]
4 zones, one of which is comprised of the town of Oxford and one of
5 which is comprised of the following census blocks as assigned on
6 October 1, 2011, in the towns of Windsor Locks, Suffield, East Granby
7 and Windsor:

090034701001022,	090034701003000,	090034701003001,
090034701003002,	090034701003003,	090034701003004,
090034701003005,	090034701003017,	090034701003018,
090034701003019,	090034701003020,	090034701003021,
090034701003025,	090034701003026,	090034735022009,
090034735022010,	090034735022011,	090034735022012,
090034735022013,	090034735025004,	090034735027000,
090034735029000,	090034735029001,	090034735029002,
090034735029003,	090034735029004,	090034735029006,
090034761009000,	090034761009010,	090034761009011,

090034761009012,	090034761009013,	090034762001023,
090034762001025,	090034762002009,	090034762002013,
090034763003004,	090034763009000,	090034763009001,
090034763009002,	090034763009003,	090034763009004,
090034763009005,	090034763009006,	090034763009007,
090034763009008,	090034763009009,	090034763009010,
090034763009011,	090034763009012,	090034763009013,
090034763009014,	090034763009015,	090034763009016,
090034763009017,	090034763009018,	090034763009020,
090034763009021,	090034763009022,	090034763009023,
090034763009024,	090034763009025,	090034763009026,
090034763009031,	090034763009033,	090034771014005,
090034771014011,	090034771014012,	090034771014013,
090034771014014,	090034771014017,	090034771014018,
090034771014019,	090034771014020,	090034771023025,
090034771023026,	090034771023027,	090034771023036,
090034701003006,	090034701003022,	090034701003023,
090034701005000,	090034761001039,	090034763009028.

8 Sec. 2. Subparagraph (c) of subdivision (59) of section 12-81 of the
 9 general statutes, as amended by section 2 of public act 10-98, is
 10 repealed and the following is substituted in lieu thereof (*Effective*
 11 *October 1, 2012*):

12 (c) The completion date of a manufacturing facility, manufacturing
 13 plant or a service facility will be determined by the Department of
 14 Economic and Community Development taking into account the
 15 issuance of occupancy certificates and such other factors as it deems
 16 relevant. In the case of a manufacturing facility, manufacturing plant
 17 or a service facility which consists of a constructed, renovated or
 18 expanded portion of an existing plant, the assessed valuation of the
 19 facility or manufacturing plant is the difference between the assessed
 20 valuation of the plant prior to its being improved and the assessed
 21 valuation of the plant upon completion of the improvements. In the
 22 case of a manufacturing facility, manufacturing plant or a service
 23 facility which consists of an acquired portion of an existing plant, the
 24 assessed valuation of the facility or manufacturing plant is the assessed
 25 valuation of the portion acquired. This exemption shall be applicable

26 during each such assessment year regardless of any change in the
27 ownership or occupancy of the facility or manufacturing plant. If
28 during any such assessment year, however, any facility for which an
29 eligibility certificate has been issued ceases to qualify as a
30 manufacturing facility, manufacturing plant or a service facility, the
31 entitlement to the exemption allowed by this subdivision shall
32 terminate for the assessment year following the date on which the
33 qualification ceases, and there shall not be a pro rata application of the
34 exemption. Any person who desires to claim the exemption provided
35 in this subdivision shall file annually with the assessor or board of
36 assessors in the distressed municipality, targeted investment
37 community, enterprise zone designated pursuant to section 32-70 or in
38 [the] a town within [the] an airport development zone established
39 pursuant to section 32-75d, as amended by this act, in which the
40 manufacturing facility or service facility is located, on or before the
41 first day of November, written application claiming such exemption on
42 a form prescribed by the Secretary of the Office of Policy and
43 Management. Failure to file such application in this manner and form
44 within the time limit prescribed shall constitute a waiver of the right to
45 such exemption for such assessment year, unless an extension of time
46 is allowed pursuant to section 12-81k, and upon payment of the
47 required fee for late filing;

48 Sec. 3. Subparagraph (c) of subdivision (60) of section 12-81 of the
49 general statutes, as amended by section 3 of public act 10-98, is
50 repealed and the following is substituted in lieu thereof (*Effective*
51 *October 1, 2012*):

52 (c) This exemption shall terminate for the assessment year next
53 following if the manufacturing facility or service facility in which such
54 machinery and equipment is installed no longer qualifies for an
55 exemption under said subdivision (59), and there shall not be a pro
56 rata application of the exemption of such machinery and equipment in
57 the assessment year of such termination. Any person who desires to
58 claim the exemption provided in this subdivision shall file annually

59 with the assessor or board of assessors in the distressed municipality,
 60 targeted investment community, enterprise zone designated pursuant
 61 to section 32-70 or [the] a town in [the] an airport development zone
 62 established pursuant to section 32-75d, as amended by this act, in
 63 which the manufacturing facility or service facility is located, on or
 64 before the first day of November, written application claiming such
 65 exemption on a form prescribed by the Secretary of the Office of Policy
 66 and Management. Failure to file such application in this manner and
 67 form within the time limit prescribed shall constitute a waiver of the
 68 right to such exemption for such assessment year, unless an extension
 69 of time is allowed pursuant to section 12-81k, and upon payment of the
 70 required fee for late filing. This exemption shall not apply to rolling
 71 stock.

72 Sec. 4. Subsection (d) of section 32-9p of the general statutes, as
 73 amended by section 5 of public act 10-98, is repealed and the following
 74 is substituted in lieu thereof (*Effective October 1, 2012*):

75 (d) "Manufacturing facility" means any plant, building, other real
 76 property improvement, or part thereof, (1) which (A) is constructed or
 77 substantially renovated or expanded on or after July 1, 1978, in a
 78 distressed municipality, a targeted investment community as defined
 79 in section 32-222, an enterprise zone designated pursuant to section 32-
 80 70 or the airport development zone established pursuant to section 32-
 81 75d, or (B) is acquired on or after July 1, 1978, in a distressed
 82 municipality, a targeted investment community as defined in section
 83 32-222, an enterprise zone designated pursuant to said section 32-70 or
 84 the airport development zone established pursuant to section 32-75d,
 85 by a business organization which is unrelated to and unaffiliated with
 86 the seller, after having been idle for at least one year prior to its
 87 acquisition and regardless of its previous use; (2) which is to be used
 88 for the manufacturing, processing or assembling of raw materials,
 89 parts or manufactured products, for research and development
 90 facilities directly related to manufacturing, for the significant servicing,
 91 overhauling or rebuilding of machinery and equipment for industrial

92 use, or, except as provided in this subsection, for warehousing and
93 distribution or, (A) if located in an enterprise zone designated
94 pursuant to said section 32-70, which is to be used by an establishment,
95 an auxiliary or an operating unit of an establishment as such terms are
96 defined in the Standard Industrial Classification Manual, in the
97 categories of depository institutions, nondepository credit institutions,
98 insurance carriers, holding or other investment offices, business
99 services, health services, fishing, hunting and trapping, motor freight
100 transportation and warehousing, water transportation, transportation
101 by air, transportation services, security and commodity brokers,
102 dealers, exchanges and services, telemarketing or engineering,
103 accounting, research, management and related services including, but
104 not limited to, management consulting services from the Standard
105 Industrial Classification Manual or in Sector 48, 49, 52, 54, 55, or 62,
106 Subsector 114 or 561, or industry group 5621 in the North American
107 Industrial Classification System, United States Manual, United States
108 Office of Management and Budget, 1997 edition, which establishment,
109 auxiliary or operating unit shows a strong performance in exporting
110 goods and services, and as further defined by the commissioner
111 through regulations adopted under chapter 54, or (B) if located in an
112 enterprise zone designated pursuant to said section 32-70, which is to
113 be used by an establishment primarily engaged in supplying goods or
114 services in the fields of computer hardware or software, computer
115 networking, telecommunications or communications, or (C) if located
116 in a municipality with an entertainment district designated under
117 section 32-76 or established under section 2 of public act 93-311, is to be
118 used in the production of entertainment products, including
119 multimedia products, or as part of the airing, display or provision of
120 live entertainment for stage or broadcast, including support services
121 such as set manufacturers, scenery makers, sound and video
122 equipment providers and manufacturers, stage and screen writers,
123 providers of capital for the entertainment industry and agents for
124 talent, writers, producers and music properties and technological
125 infrastructure support including, but not limited to, fiber optics,

126 necessary to support multimedia and other entertainment formats,
127 except entertainment provided by or shown at a gambling or gaming
128 facility or a facility whose primary business is the sale or serving of
129 alcoholic beverages, or (D) if located in [the] an airport development
130 zone established pursuant to section 32-75d, (i) which is to be used for
131 the warehousing or motor freight distribution of goods transported by
132 aircraft to or from an airport located in such zone, or (ii) in the opinion
133 of the Commissioner of Economic and Community Development, is
134 dependent upon or directly related to such airport and which, except
135 as provided in this subparagraph, is to be used for any other business
136 service, including, but not limited to, information technology but
137 excluding any service provided by an organization that has a North
138 American Industrial Classification Code of 441110 to 454390, inclusive,
139 532111, 532112 or 812930; and (3) for which the department has issued
140 an eligibility certificate in accordance with section 32-9r. In the case of
141 facilities which are acquired, the department may waive the
142 requirement of one year of idleness if it determines that, absent
143 qualification as a manufacturing facility under subdivisions (59) and
144 (60) of section 12-81, as amended by this act, and sections 12-217e, 32-
145 9p to 32-9s, inclusive, and 32-23p, there is a high likelihood that the
146 facility will remain idle for one year. In the case of facilities located in
147 an enterprise zone designated pursuant to said section 32-70, (A) the
148 idleness requirement in subparagraph (B) of subdivision (1) of this
149 subsection, for business organizations which over the six months
150 preceding such acquisition have had an average total employment of
151 between six and nineteen employees, inclusive, shall be reduced to a
152 minimum of six months, and (B) the idleness requirement shall not
153 apply to business organizations with an average total employment of
154 five or fewer employees, provided no more than one eligibility
155 certificate shall be issued under this subparagraph for the same facility
156 within a three-year period. Of those facilities which are for
157 warehousing and distribution, only those which are newly constructed
158 or which represent an expansion of an existing facility qualify as
159 manufacturing facilities. In the event that only a portion of a plant is

160 acquired, constructed, renovated or expanded, only the portion
161 acquired, constructed, renovated or expanded constitutes the
162 manufacturing facility. A manufacturing facility which is leased may
163 for the purposes of subdivisions (59) and (60) of section 12-81, as
164 amended by this act, and sections 12-217e, 32-9p to 32-9s, inclusive,
165 and 32-23p, be treated in the same manner as a facility which is
166 acquired if the provisions of the lease serve to further the purposes of
167 subdivisions (59) and (60) of section 12-81, as amended by this act, and
168 sections 12-217e, 32-9p to 32-9s, inclusive, and 32-23p and demonstrate
169 a substantial, long-term commitment by the occupant to use the
170 manufacturing facility, including a contract for lease for an initial
171 minimum term of five years with provisions for the extension of the
172 lease at the request of the lessee for an aggregate term which shall not
173 be less than ten years, or the right of the lessee to purchase the facility
174 at any time after the initial five-year term, or both. For a facility located
175 in an enterprise zone designated pursuant to said section 32-70, and
176 occupied by a business organization with an average total employment
177 of ten or fewer employees over the six-month period preceding
178 acquisition, such contract for lease may be for an initial minimum term
179 of three years with provisions for the extension of the lease at the
180 request of the lessee for an aggregate term which shall not be less than
181 six years, or the right of the lessee to purchase the facility at any time
182 after the initial three-year term, or both, and may also include the right
183 for the lessee to relocate to other space within the same enterprise
184 zone, provided such space is under the same ownership or control as
185 the originally leased space or if such space is not under such same
186 ownership or control as the originally leased space, permission to
187 relocate is granted by the lessor of such originally leased space, and
188 such relocation shall not extend the duration of benefits granted under
189 the original eligibility certificate. Except as provided in subparagraph
190 (B) of subdivision (1) of this subsection, a manufacturing facility does
191 not include any plant, building, other real property improvement or
192 part thereof used or usable for such purposes which existed before July
193 1, 1978.

194 Sec. 5. Subsection (a) of section 32-9r of the general statutes, as
195 amended by section 6 of public act 10-98, is repealed and the following
196 is substituted in lieu thereof (*Effective October 1, 2012*):

197 (a) Any person may apply to the department for a determination as
198 to whether the facility described in an application qualifies as a
199 manufacturing facility or service facility. Applications for eligibility
200 certificates are to be made on the forms and in the manner prescribed
201 by the department. In evaluating each application the department may
202 require the submission of all books, records, documents, drawings,
203 specifications, certifications and other evidentiary items which it
204 deems appropriate. No eligibility certificate shall be issued after March
205 1, 1991, for a manufacturing facility located in a distressed
206 municipality which does not qualify as a targeted investment
207 community unless the department has issued to the applicant a
208 commitment letter for such facility prior to March 1, 1991.
209 Notwithstanding the provisions of this subsection, an eligibility
210 certificate may be issued by the department after March 1, 1991, for a
211 qualified manufacturing facility acquired, constructed or substantially
212 renovated in a distressed municipality provided the commissioner
213 determines that such acquisition, construction or substantial
214 renovation was initiated prior to March 1, 1991, and was legitimately
215 induced by the prospect of assistance under section 12-217e and
216 subdivisions (59) and (60) of section 12-81, as amended by this act,
217 respectively. The department may issue an eligibility certificate for a
218 qualified manufacturing facility or a qualified service facility located in
219 a targeted investment community upon determination by the
220 commissioner (A) that the acquisition, construction or substantial
221 renovation relating to the qualified manufacturing facility or qualified
222 service facility in such community was induced by the prospect of
223 assistance under section 12-217e and subdivisions (59) and (60) of said
224 section 12-81; and (B) the applicant demonstrates an economic need or
225 there is an economic benefit to the state. Notwithstanding the
226 provisions of this subsection, an eligibility certificate shall be issued by
227 the department after October 1, 2010, for a qualified manufacturing

228 facility located in [the] an airport development zone established
 229 pursuant to section 32-75d, and may be issued by the department after
 230 October 1, 2010, for a facility described in subparagraph (D) of
 231 subdivision (2) of subsection (d) of section 32-9p, upon determination
 232 by the commissioner (i) that the acquisition, construction or substantial
 233 renovation relating to the qualified manufacturing facility or facility
 234 described in said subparagraph (D) in the airport development zone
 235 was induced by the prospect of assistance under section 12-217e and
 236 subdivisions (59) and (60) of said section 12-81; and (ii) the applicant
 237 demonstrates an economic need and there is an economic benefit to the
 238 state. The department shall issue an eligibility certificate if the
 239 commissioner determines (1) that the manufacturing facility is located
 240 in an enterprise zone designated pursuant to section 32-70 and is a
 241 qualified manufacturing facility or (2) that the facility is a plant,
 242 building, other real property improvement, or part thereof, which is
 243 located in a municipality with an entertainment district designated
 244 under section 32-76 or established under section 2 of public act 93-311,
 245 and which qualifies as a "manufacturing facility" under subsection (d)
 246 of section 32-9p in that it is to be used in the production of
 247 entertainment products, including multimedia products, or as part of
 248 the airing, display or provision of live entertainment for stage or
 249 broadcast, including support services such as set manufacturers,
 250 scenery makers, sound and video equipment providers and
 251 manufacturers, stage and screen writers, providers of capital for the
 252 entertainment industry and agents for talent, writers, producers and
 253 music properties and technological infrastructure support including,
 254 but not limited to, fiber optics, necessary to support multimedia and
 255 other entertainment formats, except entertainment provided by or
 256 shown at a gambling or gaming facility or a facility whose primary
 257 business is the sale or serving of alcoholic beverages.

258 Sec. 6. Section 32-9s of the general statutes, as amended by section 7
 259 of public act 10-98, is repealed and the following is substituted in lieu
 260 thereof (*Effective October 1, 2012*):

261 The state shall make an annual grant payment to each municipality,
262 to each district, as defined in section 7-325, which is located in a
263 distressed municipality, targeted investment community, enterprise
264 zone or municipality within [the] an airport development zone
265 established pursuant to section 32-75d and to each special services
266 district created pursuant to chapter 105a which is located in a
267 distressed municipality, targeted investment community or enterprise
268 zone in the amount of fifty per cent of the amount of that tax revenue
269 which the municipality or district would have received except for the
270 provisions of subdivisions (59) and (60) of section 12-81, as amended
271 by this act, or subdivision (70) of said section 12-81. On or before the
272 first day of August of each year, each municipality and district shall
273 file a claim with the Secretary of the Office of Policy and Management
274 for the amount of such grant payment to which such municipality or
275 district is entitled under this section. The claim shall be made on forms
276 prescribed by the secretary and shall be accompanied by such
277 supporting information as the secretary may require. Any municipality
278 or district which neglects to transmit to the secretary such claim and
279 supporting documentation as required by this section shall forfeit two
280 hundred fifty dollars to the state, provided the secretary may waive
281 such forfeiture in accordance with procedures and standards adopted
282 by regulation in accordance with chapter 54. The secretary shall review
283 each such claim as provided in section 12-120b. Any claimant
284 aggrieved by the results of the secretary's review shall have the rights
285 of appeal as set forth in section 12-120b. The secretary shall, on or
286 before the December fifteenth next succeeding the deadline for the
287 receipt of such claims, certify to the Comptroller the amount due
288 under this section, including any modification of such claim made
289 prior to December fifteenth, to each municipality or district which has
290 made a claim under the provisions of this section. The Comptroller
291 shall draw an order on the Treasurer on or before the fifth business
292 day following December fifteenth, and the Treasurer shall pay the
293 amount thereof to each such municipality or district on or before the
294 following December thirty-first. If any modification is made as the

295 result of the provisions of this section on or after the December first
296 following the date on which the municipality or district has provided
297 the amount of tax revenue in question, any adjustment to the amount
298 due to any municipality or district for the period for which such
299 modification was made shall be made in the next payment the
300 Treasurer shall make to such municipality or district pursuant to this
301 section. In the fiscal year commencing July 1, 2003, and in each fiscal
302 year thereafter, the amount of the grant payable to each municipality
303 and district in accordance with this section shall be reduced
304 proportionately in the event that the total amount of the grants
305 payable to all municipalities and districts exceeds the amount
306 appropriated.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2012</i>	32-75d
Sec. 2	<i>October 1, 2012</i>	12-81(59)(c)
Sec. 3	<i>October 1, 2012</i>	12-81(60)(c)
Sec. 4	<i>October 1, 2012</i>	32-9p(d)
Sec. 5	<i>October 1, 2012</i>	32-9r(a)
Sec. 6	<i>October 1, 2012</i>	32-9s

Statement of Purpose:

To spur economic development in the surrounding area of Oxford Airport.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]